

Cedar Breaks National Monument shall not be enlarged, expanded or re-quantified. The parties have not considered and make no agreement with respect to claims by the United States for reserved water rights for national forest purposes at Cedar Breaks National Monument under the Forest Service Organic Act of 1897, 16 U.S.C. Section 475.

5. The National Park Service has both state appropriative and federal reserved water rights at Cedar Breaks National Monument, which the State of Utah hereby acknowledges and recognizes as valid. Appendix B, which is attached hereto and made part of this Agreement, lists the diversion works and springs associated with federal reserved water rights on lands reserved from the public domain and existing state appropriative water rights held by the United States at Cedar Breaks National Monument. The Unnamed and Twin Springs are located on lands within the national monument. Following issuance of the decree in the general water adjudication confirming the federal reserved water right as set forth under Water Users Claim Number 73-1211, the state appropriative water right (Application A35622) shall be terminated. The table in Appendix B shows source of water, priority date, legal location, place of use, type of use, period of use, and existing diversion rates for each spring. Regardless of the basis of the right, the National Park Service may deplete up to 2 acre-feet per annum from the Sevier River basin (Area 61) and up to 3 acre-feet per annum from the Cedar City Valley drainage (Area 73), including water from the sources identified in Appendix B, to satisfy present and future requirements for the operation, administration and protection of Cedar Breaks National Monument, including but not limited to such uses as the construction and operation of visitor and staff facilities. In developing any waters set forth in this paragraph, the sources of water shall be within the boundaries of the monument.